

EXHIBIT

A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

Index No.:
Date Filed:

-----X
KELLY BERNSTEIN,

Plaintiff,

-against-

OORAH, INC. d/b/a THE ZONE CAMP,

Defendant.
-----X

SUMMONS

Plaintiff designates Rockland
County as the place of trial.

The basis of venue is
plaintiff's residence

Plaintiff resides at:
44 Pilgrim Lane, Monsey,
New York 10952

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Rockville Centre, New York
August 4, 2020

Yours, etc.,

ISAACSON, SCHIOWITZ & KORSON, LLP


JEREMY SCHIOWITZ, ESQ.

Attorneys for Plaintiff

371 Merrick Road, Suite 302
Rockville Centre, New York 11570
(516) 800-9000

TO:

Via Secretary of State
OORAH, INC.
1805 Swarthmore Avenue
Lakewood, New Jersey 08701

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

-----X
KELLY BERNSTEIN,

Index No.:
Date Purchased:

Plaintiff,

VERIFIED COMPLAINT

-against-

OORAH, INC. d/b/a THE ZONE CAMP,

Defendant.

-----X

Plaintiff, KELLY BERNSTEIN, by her attorneys, *ISAACSON, SCHIOWITZ & KORSON, LLP*, complaining of the defendants, respectfully alleges, upon information and belief, as follows:

1. That at the time of the commencement of this action, plaintiff was and still is a resident in the County of Rockland, State of New York.
2. That the cause of action alleged herein arose in the County of Schoharie, City and State of New York.
3. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a domestic partnership duly organized and existing under and by virtue of the laws of the State of New York.
4. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a domestic limited partnership duly organized and existing under and by virtue of the laws of the State of New York.
5. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a domestic limited liability partnership duly organized and existing under and by virtue of the laws of the State of New York.

6. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

7. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a corporation duly organized and existing under and by virtue of the laws of the State of New York.

8. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a not-for-profit corporation duly organized and existing under and by virtue of the laws of the State of New York.

9. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a foreign partnership duly organized and existing under and by virtue of the laws of the State of New York.

10. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a foreign limited partnership duly organized and existing under and by virtue of the laws of the State of New York.

11. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a foreign limited liability partnership duly organized and existing under and by virtue of the laws of the State of New York.

12. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a foreign limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

13. At all times relevant and material herein, the defendant OORAH, INC. d/b/a THE ZONE CAMP, was and still is a foreign corporation duly organized and existing under and by

virtue of the laws of the State of New York.

14. That at all times hereinafter mentioned, defendant OORAH, INC. d/b/a THE ZONE CAMP, maintained a principal place of business in the County of Ocean located at 1805 Swarthmore Avenue, Lakewood, New Jersey 08701.

15. That on June 26, 2018, and at all times herein mentioned, defendant OORAH, INC. d/b/a THE ZONE CAMP, owned the premises located at 964 S. Gilboa Road, Gilboa, New York 12076.

16. That on June 26, 2018, and at all times herein mentioned, defendant OORAH, INC. d/b/a THE ZONE CAMP, was the lessee of the property located at 964 S. Gilboa Road, Gilboa, New York 12076.

17. That on June 26, 2018, and at all times herein mentioned, defendant OORAH, INC. d/b/a THE ZONE CAMP, was the lessor of the property located at 964 S. Gilboa Road, Gilboa, New York 12076.

18. That on June 26, 2018, and at all times herein mentioned, the aforesaid premises was operated by defendant OORAH, INC. d/b/a THE ZONE CAMP.

19. That on June 26, 2018, and at all times herein mentioned, the aforesaid premises was managed by defendant OORAH, INC. d/b/a THE ZONE CAMP.

20. That on June 26, 2018, and at all times herein mentioned, the aforesaid premises was controlled by defendant OORAH, INC. d/b/a THE ZONE CAMP.

21. That on June 26, 2018, and at all times herein mentioned, the aforesaid premises was maintained by defendant OORAH, INC. d/b/a THE ZONE CAMP.

22. That on June 26, 2018, and at all times herein mentioned, the aforesaid premises was repaired by defendant OORAH, INC. d/b/a THE ZONE CAMP.

23. On June 26, 2018, plaintiff KELLY BERNSTEIN was lawfully on the aforesaid premises.

24. That on June 26, 2018, while plaintiff KELLY BERNSTEIN was lawfully at the aforesaid location, she was caused to hit her head on a protruding piece of wood within the bunk house at the aforesaid location, causing plaintiff to sustain severe and permanent injuries.

25. The above mentioned occurrence, and the results thereof, was caused by the negligence of the defendant, OORAH, INC. d/b/a THE ZONE CAMP and/or its servants, agents, employees and/or licensees in the ownership, operation, management, maintenance and control of the aforesaid premises.

26. That, upon information and belief, defendant OORAH, INC. d/b/a THE ZONE CAMP had actual, constructive and prior written notice of the dangerous condition and/or created said condition.

27. That no negligence on the part of the plaintiff contributed to the occurrence alleged herein in any manner whatsoever.

28. That the aforesaid accident, and resulting injuries sustained by this plaintiff, were caused by reason of the negligence of the defendant OORAH, INC. d/b/a THE ZONE CAMP, its agents, servants and/or employees, without this plaintiff in any way contributing thereto.

29. That by reason of the foregoing and the negligence of the said defendant, its agents, servants and/or employees, the plaintiff has been rendered sick, sore, lame, maimed and disabled and suffers and continues to suffer great pain and anguish. That she has been unable to attend to her usual vocation and activities and that she has been obliged to expend, and will expend in the future, sums of money for medical aid and attention, and that by reason of the foregoing, plaintiff has been damaged in an amount that exceeds the jurisdictional limits of all lower courts which

would otherwise have jurisdiction.

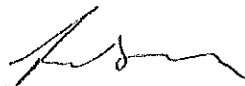
30. That this action falls within one or more exemptions set forth in CPLR §1602.

WHEREFORE, plaintiff demands judgment on all causes of action against the defendants in an amount, which exceeds the jurisdictional limitations of all lower courts, which would otherwise have jurisdiction over this action, together with the costs and disbursements of this action.

Dated: Rockville Centre, New York
August 4, 2020

Yours, etc.,

ISAACSON, SCHIOWITZ & KORSON, LLP



JEREMY SCHIOWITZ, ESQ.
Attorneys for Plaintiff
371 Merrick Road, Suite 302
Rockville Centre, New York 11570
(516) 800-9000

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
 SS.:
COUNTY OF NASSAU)

I, the undersigned, am an attorney admitted to practice in the Courts of New York State, and say that:

I am the attorney of record for plaintiff. I have read the annexed *COMPLAINT* and know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as to those matters, I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following: Investigation and documents contained in deponent's file.

The reason I make this Affirmation instead of Plaintiff is because Plaintiff resides outside the County wherein your deponent maintains his office.

Dated: Rockville Centre, New York
August 4, 2020



JEREMY SCHIOWITZ

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND-----X
KELLY BERNSTEIN,

Index No.:

Plaintiff,

CONSENT TO E-FILING

-against-

OORAH, INC. d/b/a THE ZONE CAMP,

Defendant.
-----X

I, _____, am an attorney in good standing representing a party in the above-captioned action, and hereby consent to the use of the New York State Courts Electronic Filing System ("NYSCEF") in this case. I agree to be bound by the regulations governing the NYSCEF System (22 NYCRR §§ 202.5-b) and the procedures of the NYSCEF system as reflected in the User's Manual approved by the Chief Administrator of the Courts and posted on the NYSCEF website.

If, as indicated below, I am not currently an authorized e-filing user in the NYSCEF System, I understand that I must first obtain a user ID and password before I may file any documents with NYSCEF and that I may do so by accessing the Create an Account button on the NYSCEF Login screen (<https://iapps.courts.state.ny.us/nyscef/Login>). I also understand that once I receive these credentials, my primary e-mail address, listed below, will be used for service of documents.

Dated: _____

Registered User: ☐ Yes ☐ No

Print Name _____

Signature _____

Firm Name _____

Party(s) Represented _____

Address _____

UCS Attorney Registration # _____

Phone Number

E-Mail _____
(Primary – to be used for service)2nd E-Mail _____

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

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KELLY BERNSTIEN,

Plaintiff,

-against-

OORAH, INC. d/b/a THE ZONE CAMP,

Defendant.
-----X

Index No.:

**NOTICE REGARDING
AVAILABILITY OF
ELECTRONIC FILING**

PLEASE TAKE NOTICE that plaintiff in the case captioned above intends that this matter proceed as an electronically-filed case in the New York State Courts Electronic Filing System ("NYSCEF") in accordance with the procedures there for, set forth in Uniform Rule 202.5-b and described below. Under that Rule, filing and service of papers by electronic means cannot be made by a party nor can electronic service be made upon a party unless that party has consented to use of the System for the case in question. Each party served with this Notice must promptly file with the court and serve on all other parties either consent or a declination of consent to electronic filing and service through NYSCEF for this case. (See Instruction # 2 below.)

General Information

Electronic filing offers significant benefits for attorneys and litigants, permitting documents to be filed with the County Clerk and the court and served, between or among consenting parties, by posting the documents on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. There is no fee to use the NYSCEF System, whether for filing, service, or consultation of the electronic docket, nor is there a charge to print documents from the docket. Normal filing fees must be paid, but this can be done by credit or bank card on-line. For additional procedures and information, see Uniform Rule 202.5-b, any e-filing protocol that may have been promulgated by the court in question, and the NYSCEF Website at www.nycourts.gov/efile.

Instructions

1. Service of this Notice constitutes consent to e-filing and a statement of intent by the undersigned to use the NYSCEF System in this case. When an action or proceeding is being

commenced through the NYSCEF System, this Notice must accompany service of the initiating papers.

2. Each party served with this Notice may consent to e-filing either: (i) by filing with the court and serving on all parties of record a consent to e-filing, or (ii) if an authorized e-filing user, by filing a consent electronically in the manner provided at the NYSCEF site. Parties who do not wish to consent must file and serve a written declination of consent. If one party or some but fewer than all parties consent, NYSCEF may be used by and between or among consenting parties.

3. Each participating attorney, unless already registered, or self-represented party must PROMPTLY create a NYSCEF account and obtain the confidential Filing User Identification Number and Password necessary to use the system. To create a NYSCEF account, go to www.nycourts.gov/efile click the Create an Account link, and follow the instructions.

4. For additional information about NYSCEF, see the User's Manual and Frequently Asked Questions on the Website, or contact the court in question or the NYSCEF Resource Center at 646-386-3033 or efile@courts.state.ny.us.

Dated: Rockville Center, New York
August 4, 2020

Yours, etc.,

ISAACSON, SCHIOWITZ & KORSON, LLP



JEREMY SCHIOWITZ, ESQ.

Attorneys for Plaintiff

371 Merrick Road, Suite 302
Rockville Centre, New York 11570
(516) 800-9000

INDEX NO.:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

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KELLY BERNSTEIN,

Plaintiff,

-against-

OORAH, INC. d/b/a THE ZONE CAMP,

Defendant.
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SUMMONS & VERIFIED COMPLAINT

ISAACSON, SCHIOWITZ & KORSON, LLP

Attorneys for Plaintiff

371 Merrick Road, Suite 302

Rockville Centre, New York 11570

Phone: (516) 800-9000

Fax: (866) 240-4535

AFFIDAVIT OF SERVICE

STATE OF NEW YORK
COUNTY OF ROCKLAND

SUPREME COURT FILED ON: 8/4/2020 INDEX NO.: 033456/2020

KELLY BERNSTEIN

Plaintiff(s)-Petitioner(s)

OORAH, INC. D/B/A THE ZONE CAMP

-VS-

Defendant(s)-Respondent(s)

STATE OF NEW YORK
COUNTY OF SARATOGA ss.}

I, MARK E. MCCLOSKEY being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On AUGUST 13, 2020 at 2:15 PM

Deponent served two true copies of NOTICE REGARDING AVAILABILITY OF ELECTRONIC FILING SUPREME COURT CASES; SUMMONS AND VERIFIED COMPLAINT, CONSENT TO E-FILE

bearing index number: 033456/2020 and date of filing: 8/4/2020
upon OORAH INC. D/B/A THE ZONE CAMP
at address: SECRETARY OF STATE, 99 WASHINGTON AVENUE
city and state: ALBANY, NY 12210MANNER OF SERVICEPersonal

- ☐
- By delivering to and leaving with personally known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

- ☐
- By delivering and leaving with personally at the premises mentioned above. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

- ☒
- By delivering and leaving 2 copies with SUE ZOUKY, BUSINESS DOCUMENT SPECIALIST the agent for service on the person in this proceeding designated under Rule 306 NFP and tendering the required fee. Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

- ☐
- By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above. Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

Mailing

- ☐
- Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by—first class mail—certified mail—registered mail—return receipt requested,

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes.

DESCRIPTION deponent describes the person actually served as:

Sex: FEMALE

Race/Skin Color: WHITE

Approximate Age: 60 years

Approximate Height: 5'4"

Other:

Hair Color: BLONDE

Approximate Weight: 130 pounds

Subscribed and sworn before me on AUGUST 19, 2020

Notary Public, State of New York
Karen E. Rock
Qualified in Schenectady County
Number 01R06065213
Expires: October 9, 2021Attorney:
Isaacson, Schlowitz & Korson, LLP
371 Merriok Road, Suite 302
Rockville Centre, New York 11570
(516) 800-9000MARK E. MCCLOSKEY
Deponentaffidavit #: 221461
NLS#: 20-6666

FIRM FILE # 2238094